

HAMILTON COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 24, 2003

The Hamilton County Board of Commissioners met on Monday, November 24, 2003 in the Commissioner's Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session at 12:15 pm in Conference Room 1A. President Holt called the public meeting to order at 1:36 pm with a quorum declared present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

**Approval of Minutes:**[1:37:01]

Dillinger motioned to approve the November 10, 2003 minutes. Altman seconded. Motion carried unanimously.

**Executive Session Memoranda:**

Altman motioned to approve the November 24, 2003 Executive Session Memoranda. Dillinger seconded. Motion carried unanimously.

**Bid Opening** [1:37:30]

**Small Structure #21061, Eagle Creek Avenue over Little Eagle Creek:**

Mr. Michael Howard opened the bids for Small Structure #21061, Eagle Creek Avenue over Little Eagle Creek, HCHD PB-99-0012. Form 96, Non-Collusion Affidavit, Bid Bond, Financial Statement and Acknowledgment of Addendum were included unless otherwise specified. 1) E&B Paving - \$291,054.78. 2) Atlas Excavating - \$266,000.00. 3) Erber & Milligan - \$273,696.30.

4) \$273,696.30. 5) Rieth-Riley - \$275,733.02. 6) George R. Harvey & Son - \$212,500.00. 7) Duncan Robertson, Inc. - \$198,287.77. 8) EDSAM Construction - \$257,302.65. Mr. Howard recommended the bids be forwarded to the Highway Department for review and recommendation at the next meeting. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Plat Approvals** [1:44:03]

**The Ridge at Hayden Run, Section 1:**

**Hayden Run, Section 3:**

Mr. Steve Broermann presented the plats for The Ridge at Hayden Run, Section 1 and Hayden Run, Section 3 for approval. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Highway Business** [1:44:30]

**Open Road Cut Permits:**

Mr. Jim Neal requested approval of Open Road Cut Permits: 1) RDCUT 2003-044 - Scott Campbell at 2500' south of 286th Street on Arthur Baker Road for Field Drain (new 12" tile). 2) RDCUT 2003-045 - Brinson Properties at 460' east of US 421 on 96th Street for water connection. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Acceptance of Bonds/Letters of Credit - Highway Department:**

Mr. Neal requested acceptance of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B-94-0105 - Fidelity and Deposit Company Continuation Certificate for Bond No. 30638568 issued on behalf of Poindexter Excavating, Inc. in the sum of \$25,000 to now expire September 23, 2004. 2) HCHD #B-95-0120 - Erie Insurance Company Continuation Notice for Bond NO. Q95 7770038R issued on behalf of Dicken's Excavating in the sum of \$25,000 to now expire November 27, 2004. 3) HCHD #B-03-0152 - Erie Insurance Company Permit Bond No. Q956270119 issued on behalf of Leonard Voight in the sum of \$5,000 for a minor commercial drive to expire November 12, 2004. 4) HCHD #B-03-0153 - Western Surety Company Permit Bond No. 14534589 issued on behalf of CDC Corporation in the sum of \$5,000 to expire November 4, 2004. 5) HCHD #B-03-0154 - Erie Insurance Company Bond No. Q956270117 issued on behalf of Beaver Air Inc. in the sum of \$5,000 for driveway cut at 20755 Riverwood Avenue to expire November 12, 2004. 6) HCHD #B-03-0155 - Western Surety Company Permit Bond No. 14537845 issued on behalf of Scott Campbell in the sum of \$10,000 to expire November 15, 2004. 7) HCHD #B-03-0156 - Lexon Insurance Company Annual Permit Bond No. 1002841 issued on behalf of Interstate Holdings, LLC in the sum of \$25,000 to expire November 7, 2004. 8) HCHD #B-03-0157 - Western Surety Company Permit Bond No. 42889835 issued on behalf of Grade A Excavating, Inc. in the sum of \$10,000 to expire October 31, 2004. 9) HCHD #B-03-0158 - Western Surety Company Permit Bond No. 42889834 issued on behalf of Grade A Excavating Inc. in the sum of \$5,000 to expire October 31, 2004. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit - Highway Department:**

Mr. Neal requested the release of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B-00-0139 - Cincinnati Insurance B80447391 issued for Permit # COMDR 2002-042 issued to Joseph A. Huck for private road approach 375' south of Lux Road on Florida Road in Fall Creek Township. 2) HCHD #B-02-0036 - Hanover Insurance 1705138 for Permit #COMDR-2002-018 issued to Eden Enterprises, Inc. for temporary drive, 1325' north of 151st Street on Gray Road in Noblesville Township. 3) HCHD #B-02-0039 - Hanover Insurance 1705147 issued for Permit #COMDR-2002-009 issued to Eden Enterprises, Inc. for temporary drive, 1325' north of 151st Street on Gray Road in Noblesville Township. 4) HCHD #B-02-0076 - Merchants Bonding Co., IN 4263 issued to Blaze Construction, Inc. for Permit #COMDR-2002-019 for general contractor. 5) HCHD #B-02-0136 - Gulf Insurance Company #B218699604 issued to Northside Investments for construction of access road - Long Branch Estates, Section 2. 6) HCHD #B-03-0021 - Erie Insurance Q876170136R issued to YC Company, Inc. for Permit #COMDR-2003-013 for driveway cut at 12131 E. 196th Street in Noblesville. 7) HCHD #B-03-0028 - Ohio Farmers #5864602 issued to Theodore J. Melvin for Permit #COMDR-20003-019 for commercial driveway. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Agreements** [1:47:01]

**256th Street over Taylor Ditch Structure:**

Mr. Neal requested approval of an engineering agreement, HCHD #E-03-0017, for replacement of Small Structure #32028, 256th Street over Taylor Creek, with Burgess & Niple in a not to exceed amount of \$56,990.00. Dillinger motioned to approve. Altman seconded. Altman stated in the three contracts presented there is a significant variance in right of way costs in terms of per parcel, - is there a definitive reason? The per unit costs are significantly different. Mr. Neal stated the main difference is the legal descriptions, transfer of documents and abstract. They are both within the range we typically see. Altman stated when you compare per unit costs they are up and down all over the place and she is not sure how that is based. Example - the public information meetings, one firm charges \$500.00, another firm charges \$13,080.00 and the other charges \$12,000.00. She is not sure how we are basing our professional fees. Mr. Neal stated these agreements have been discussed with the consultants and within the range that we typically see. Altman asked if there is any unique parcel reason that they would be higher or lower? Mr. Neal stated it depends if some of the work is done in house or they have to farm some of it out. Altman stated that should not make any difference to us unless there is distinguishment of the parcel. Altman stated she would like to see more consistency of what we are willing to pay for different services. Dillinger called for question. Dillinger and Holt approved. Altman opposed. Motion carries.

**Craig Avenue Small Structure:**

HAMILTON COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 24, 2003

Mr. Neal requested approval of Engineering Agreement, HCHD #E-03-0016, with Butler Fairman and Seufert for replacement of a small structure on Craig Avenue. Dillinger motioned to approve. Holt seconded. Altman stated she has the same concern, there is no rhyme or reason on how we are compensating professionals. Dillinger and Holt approved. Altman opposed. Motion carries.

**Release of Escrow - Milestone Contractors:**

Mr. Neal requested approval of a Release of Escrow for 146th Street Contract #3 for Milestone Contractors LP. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Acceptance of Easements - Heritage at Fawn Lake:**

Mr. Neal requested acceptance of common ingress and egress easements for The Heritage at Fawn Lake Subdivision. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Acceptance of Streets [1:55:38]**

**Shelborne Park Subdivision, Sections 1 and 2:**

Mr. Neal requested acceptance of streets in Shelborne Park Subdivision, Sections 1 and 2 for a total of 1.02 miles. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Concurrence with Traffic Study Correspondence:**

Mr. Neal requested concurrence with a list of correspondence concerning investigations of requests for signage on Hamilton County Roads. Dillinger asked about the No Turn on Red for eastbound 206th Street at Cumberland Road in Noblesville Township. He does not understand the sight distance problem. Mr. Neal stated if you want to turn right, southbound on Cumberland Road, there is limited sight distance for smaller vehicles. If you are driving a SUV and another SUV is coming there is no problem, if you are driving a SUV and smaller car is coming, there is probably not a problem, if there are two small cars there is enough of a sight distance problem that it poses a definite risk. Dillinger asked if that problem is created because they are speeding down Cumberland Road. Holt stated he usually comes down Cumberland Road from 221st Street and he could not understand why people were turning in front of him and he is in a SUV. In a SUV, he can't tell if someone is coming southbound. Altman stated the crash history is very bad there. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Offical Actions [2:00:23]**

**Shelborne Park Subdivision, Sections 1 and 2:**

Mr. Neal requested approval of the official action to install regulatory signs for the Shelborne Park Subdivision, Sections 1 and 2 for streets previously accepted. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**206th Street and Cumberland Road:**

Mr. Neal requested approval of the official action to install regulatory sign for eastbound 206th Street at Cumberland Road. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Acceptance of Right of Way: [2:00:45]**

**276th Street:**

Mr. Neal requested acceptance of right of way, 40' half right of way, on 276th Street. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Horse Fairy Road:**

Mr. Neal requested acceptance of right of way along Horse Fairy Road south of 131st Street within the Village of West Clay. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Bridge #82, Requests for Proposals:**

Mr. Neal requested permission to request proposals for professional engineering services for the construction of Bridge #82, Crooked Creek Avenue over Cicero Creek. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Bridge #82, Request for Federal Aid Match:**

Mr. Neal requested approval of letter to INDOT for Federal Aid Match for Bridge #82, Crooked Creek Avenue over Cicero Creek. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Request Permission to Advertise**

**Annual Highway Bids:**

Mr. Brad Davis requested permission to advertise for the Highway Department's 2004 Annual Bids. Mr. Davis stated we have requests from two vendors to renew their 2003 prices. The first is American Timber Bridge and Culvert for pre-engineered bridge components. They were the only bidder last year. Mr. Davis recommended we renew the bid. The second vendor is Marathon Ashland for the liquid asphalt program. Our 2003 price is \$162.90. Henry County and Madison County have bid this year, their low prices were \$179.15 and \$177.93. There are approximately 10 counties that have renewed their 2003 prices for 2004. Boone County has renewed their price at \$180.00, Johnson County has renewed at \$175.80. Marathon Ashland has offered that if there is a de-escalation in prices, below what they originally bid in 2003, they would pass those savings on to us. We will cap at \$162.90 and will have the opportunity to get it a little cheaper. Mr. Davis recommended we renew with Marathon Ashland. Mr. Howard stated we have not had more than one bidder for the bridge structures in several years. On the liquid asphalt we have had more than one bidder every year. Mr. Davis stated we are going to receive bids from two basic companies, Asphalt Materials and Marathon Ashland. Altman asked if it is possible to renew without competitive bids, with our history, on the asphalt? Mr. Howard stated once it has been submitted to the competitive bidding, one thing you need to look at is that is something that is market driven. You may want to be cautious in that area. Altman asked if there is an exception we can renew with competitive bidding? Mr. Howard stated you can. Dillinger asked if we rebid this, will their bid price be the same as last year? Mr. Davis stated we don't know. Altman stated Mr. Davis' research indicates renewing would be the prudent thing to do. Altman motioned to renew both contracts. Holt stated he does not understand how that would not be a violation of bidding laws? Mr. Howard stated the statute does not say annually, it says you must publicly bid it. Altman asked if the specifications in 2003 indicate it was an annual bid? Mr. Howard stated he would guess the 2003 specifications would say it was for 2003. There would have been nothing that would have indicated to the bidder that they may or may not be bidding on a two year contract. Mr. Davis stated there is a sentence in the annual bid notice that tells the vendor that they have the option to request a renewal. Altman asked to defer the decision until Mr. Davis can review the specifications.

Mr. Davis stated in the Bituminous Mixture category the specifications will be changed to follow the asphalt paving association guidelines and specifications which are requiring the producers to be part of the certified asphalt producer program with INDOT. This requires those producers to have their own quality control program that is audited by the State of Indiana on a routine basis. We accept materials with the certification. By doing that we assure ourselves of getting a quality product without the need to do verification testing. It uses a modified asphalt that is geared towards this geographic area, which will

HAMILTON COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 24, 2003

keep the roads from cracking too much in the winter and rutting too much in the summer. It is in our best interest and keeps us from having the costs of testing.

The aggregates is similar, we are asking our vendors for aggregates to be part of the certified aggregate producer program where they have to certify that the aggregates they are giving us are quality aggregate, that they have their own quality control program and it will be tested by the supplier and audited by INDOT.

In salt we have looked at the current program, which is regular salt that has been treated with a liquid de-icer. The price of the salt with the liquid runs about \$66.00 per ton. We can buy salt that is already treated in the upper \$40's to lower \$50's range. This is what the City of Indianapolis has changed to. Carmel and Westfield is also doing this. This will save us some money. Next winter he would like to try the pre-treated salt next winter. It stores the same.

Pavement traffic markings - we are getting prices for thermal plastic products as well as paint. Mr. Neal stated we are adding an item to replace the reflectors and new pavement markers.

Mr. Davis stated we would like to start the process of advertising for bid opening the first meeting in January. Holt asked Mr. Davis to bring this back up when the question on the specifications for liquid asphalt is answered.

Holt called a break. Holt called the meeting back to order. [2:27:18]

**Retiree Life Insurance:**

Ms. Sheena Randall presented a letter from The Hartford Company with a benefit structure for the retiree's life insurance. It is known as the ADE-1 Reduction Schedule for Retirees. Currently that schedule is not in place in our retirees life plan. Ms. Randall requested approval of this schedule, effective immediately and also to provide retirees pay \$10.00 per month for this month if they elect this coverage. This premium would begin January 1st. The Nyhart will send out a directive to the retirees with a coupon book for the additional \$10.00 premium if they wish to continue. The Hartford Company will send out an addendum to our booklets providing the retirees with their coverage level. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Mandatory Health Insurance Overview Meeting:**

Ms. Randall requested the Commissioners consider a directive to Elected Officials, Department Heads and employees to attend a mandatory 30 minute session for an overview of our benefit plan by the Nyhart Company. Those training sessions will be held December 2, 3 and 4. We will have two sessions each day, they will be separated at the Judicial Center, Sheriff's Department and Highway Department. Following the mandatory 30 minute meeting the employees, if they wish, may stay and hear a presentation on the Flex Plan. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Flex Plan:** [2:30:57]

Ms. Randall stated we have our renewal for the Flex Plan, which begins January 1, 2004. In your motion this year you had a \$1,308.00 calendar year maximum for 2003 and the motion was made for a \$2,000.00 maximum for 2004. All employees who are going to continue in the Flex Plan will have to enroll every year. Nyhart will present the training sessions. The Flex Plan now allows reimbursement of over the counter medicines. The Nyhart Company has a debit card, which can be used to go any place that would utilize the Flex Plan, rather than having to pay for it and send in claim forms. Sheri Burton Fleck, Nyhart Company, stated the debit card works as a stored value card so whatever amount your members set aside in their Flex Plan is the only amount available on the Flex Plan. Altman asked if it automatically reduces the amount on the card as it is scanned? Ms. Fleck stated yes. Altman asked if this is a calendar year benefit? Ms. Fleck stated yes. Altman stated it is all medical expenses thru December 31st. Ms. Fleck stated members will receive statements twice a year, showing the balances in your account. That needs to be used by the end of the year and claims can be filed for the next three months thereafter if they have already been incurred. There will be new pledges for 2004. Altman suggested Ms. Randall remind everybody to use up their account by the end of the year. Ms. Randall stated in addition Nyhart will review the online features for the Flex Plan so employees can look online as they are processing claims. Dillinger motioned to approve the debit card commencing in 2004. Altman seconded. Motion carried unanimously. Dillinger motioned to approve the Flex Plan in the amount of \$2,000.00 per employee for medical and child care for 2004. Altman seconded. Motion carried unanimously.

**Ordinance 11-24-03-A, Amending E-911 Ordinance:** [2:35:49]

Mr. Michael Howard introduced Ordinance 11-24-03-A, An Ordinance Requiring E-911 Coordination Review and Comment with Local Jurisdictions that Retain Street and Subdivision Naming Authority within Hamilton County, Indiana. Altman asked if Mr. Howard feels confident that we can do this county wide with our ordinance? Mr. Howard stated we are saying they shall have this when they submit. The question is whether there is overriding mandatory state statute requiring the transfer. Mr. Howard stated this will be effective January 1, 2004. Dillinger motioned to introduce Ordinance 11-24-03-A for first reading. Altman seconded. Motion carried unanimously.

**4-H 2004 Rental Rates:** [2:38:09]

Ms. Lisa Hanni presented the 2004 Rental Rates for the 4-H Fairgrounds. They are keeping the same rates as 2003. The weekends are our biggest usage time. Only 20% of the actual rooms that could be rented on Saturdays were not rented. Normally we have around 60 new renters a year, this year we are in the 80's. People are finding out about us. We are working closely with the Hamilton County Visitor's and Convention Bureau. We are trying to get in the business sector for rentals on the weekdays. Holt asked what are the gross receipts to date? Ms. Hanni stated it is around \$90,000. Holt asked what was it last year? Ms. Hanni stated around \$87,000 to date. We are looking at a slight increase for this year. We have had some events that have canceled because the money is not there. Altman asked if they have had an opportunity to study the Johnson Report further and take some of the suggestions to the Board to see what was implementable? Ms. Hanni stated we have, one of the biggest things is the marketing. We have started to put together a CD-ROM and brochure to help market the facility. We would like to bring back the proposal of the electronic sign to the City of Noblesville. We have had people say they would help pay for the sign. Altman asked if the overtime situation time with maintenance has gotten better? The scheduling was pointed out, by your Board, as the biggest expense in overage was overtime. Ms. Mills stated she would have to check with Scott Warner. Altman motioned to keep the rates in place for bookings at this point, but she would like to reserve the right to review rental rates for non-booked events as we go through and take the study to heart and see if there is something we can do to cover the costs. Dillinger seconded. Motion carried unanimously.

**Commissioner Committee Reports** [2:42:14]

**Snow Emergency Committee:**

Altman stated the Snow Emergency Committee is still meeting. We looked at a web site that does better predictions of snow and pavement temperatures.

**GO Bond:**

HAMILTON COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 24, 2003

Altman stated GIS and ISS are concerned. During the 2004 budgeting process our computer replacement program was to be listed as part of a GO Bond as well as almost every capital item for 2004. We can not commit to orthos or anything else until we know the bond is going through. Altman requested we push as quickly as possible on that and advertise in January to start the process on the bonding so we have a direction to spend money. Mr. Howard stated he will have it at the next meeting.

**Attorney** [2:43:44]

**IHFA Grant:**

Mr. Howard stated at the last meeting the issue of the Indiana Housing Finance Authority Grant in the amount of \$300,000 came up. At that time Commissioner Altman asked if Kenna Consulting, who is the grant administrator, was concerned on the substantial penalty for failure to comply with State and Federal law, whether Kenna could post a bond. Mr. Howard stated Kenna has never posted a bond and it would be a hardship on them. The Noblesville Housing Authority has agreed to sign an agreement with Kenna to act in the County's stead and review all pay applications are correct and approved. Mr. Howard stated the representative from Kenna is sick today and was unable to attend. The suggestion is to approve the grant application and agreement for administration of the grant be approved and the Auditor's office will hold until Kenna signs both documents and Kenna has entered in to an agreement with the Noblesville Housing Authority. Dillinger motioned to approve subject to the terms as outlined by Counsel. Altman seconded. Motion carried unanimously. Altman motioned to approve the three-way agreement for grant administration between Hamilton County, Noblesville Housing Authority and Kenna Consulting. Dillinger seconded. Motion carried unanimously.

**Clay Township Regional Waste District Warranty Deed:** [2:48:09]

Mr. Howard requested approval of a Warranty Deed conveying certain land acquired by Hamilton County to Clay Township Regional Waste District. The location is the southeast corner of 106th Street and Springmill Road. Clay Regional will convey the right of way that the County needs between the lift station and the road. We are acquiring from Mr. Bodner the additional square footage necessary behind the lift station and we are conveying the land behind the lift station to Clay Regional Waste District in exchange for their right of way for no costs other than the cost of relocating the fence. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Administrative Assistant** [2:50:10]

**Pictometry Contract:**

Mr. Fred Swift presented the Pictometry License Agreement for the President's signature, as approved at the last meeting.

**Leave of Absence - Kathy Richardson:**

Mr. Swift presented the Application for Leave of Absences for Kathy Richardson for the November Legislative Session. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Highway Meetings:**

Mr. Swift stated a tentative meeting with the Highway Department was scheduled for December 9th, but it was suggested by Commissioner Altman that beginning in 2004 the Commissioners should meet with the Highway Department the Fridays prior to the County Council meeting. Mr. Swift asked the Commissioners to remove the December 9th meeting from their calendars.

**Holiday Lights:**

Mr. Swift stated the City of Noblesville has purchased new holiday lights for the square. They are asking if the County would like to share the costs of the lights in the amount of \$500.00. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Jail Storage Building:**

Mr. Swift stated he has checked the items the County has stored in the storage building at the Jail. The old voting booths will be brought to the Judicial Center for use by the Clerk. There is a cast iron fireplace mantel piece that may go well in the museum. The old wood cabinetry that was original to the courthouse, he has spoken to the highway department about storing it in the paint shop building. Mr. Davis is trying to find room for storing the cabinets. It was originally in the Recorder's and Clerk's offices in the Historic Courthouse. It matches the big cabinet that is in the hallway across from the Treasurer's Office. Holt asked if there is a cabinet left like the cabinet we restored? Mr. Swift stated there are three bottom sections. Altman will go look at it. Mr. Swift asked if the Commissioners would give tentative approval to clear the storage building as he stated. Altman stated Carmel is looking at an arts district with public buildings, she would not want to release it to sale at all. It can be used somewhere. It has too much historic value and we need to protect it.

**Security Committee:**

Mr. Swift stated Judge Steve Nation has been selected to replace Judge Barr on the Security Committee.

**Commissioners Conference:**

Mr. Swift stated he has registered Steve Holt and Christine Altman for the IACC Conference to be held December 2-4, 2003.

**Holiday Luncheon:**

Altman motioned to close the county offices on December 22, 2003 from 11:30 am to 1:30 pm for the purpose of employee training session and luncheon. Dillinger seconded. Motion carried unanimously.

**Sheriff** [3:04:01]

**Local Law Enforcement Block Grant:**

Sheriff Doug Carter stated the Sheriff's Department applied for a Local Law Enforcement Block Grant (LLEBG) from the Bureau of Justice Assistance in the amount of \$13,721.00. The money has been earmarked for body armor replacement. Dillinger motioned to approve the grant. Altman seconded. Motion carried unanimously.

**Springmill Road Speeding Complaints:**

Sheriff Carter stated he received the letter regarding speeding complaints on Springmill Road south of SR 32 near St. Marie Goretti School. They will have a contingent of five people that will be on that road daily at different times.

**Highway Bid Specifications:** [3:06:45]

Mr. Davis presented the 2003 Notice to Bidders for annual highway bids. Mr. Howard believes the clause is as required by statute. Altman motioned to approve the extension of both contracts as presented by the Highway Director. Holt stated he has a problem with not bidding. He feels we have benefited from the competitive bidding. Mr. Davis stated we would be locked in at \$162.90 per ton, which would be the maximum price we would pay. There is a de-escalation cost, if the price of the asphalt would go down significantly below what they bid, they would pass on the reduced costs to us. Motion dies due to lack of a second. Dillinger motioned to extend the American Timber Bridge price. Altman seconded. Motion carried unanimously. Dillinger motioned to allow all other items to go out for annual bid. Altman seconded. Motion carried unanimously.

**Auditor** [3:11:55]

HAMILTON COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 24, 2003

**SBC Enhanced 911 Service Agreement:**

Ms. Robin Mills requested approval of the SBC Enhanced 911 Service Agreement. Ms. Mills stated we will receive new equipment and locking in of the price. Ms. Jill Jennings stated this is a contract we want to extend. Right now we are paying for more lines than what was in our original contract. With paying the extra \$12,000 per quarter we will receive all new equipment. It will be upgraded. They will not upgrade our current equipment. We are on single PC's for each station and we need to go to a networked server based station. Altman stated she wants to make sure there is not another competitive vendor in the area that is reliable. 10 years for this kind of contract is huge. Ms. Jennings stated there is no other competition. This will add four new stations, two to the County, one to Noblesville and one to Carmel. Currently she is having to clean out databases every two weeks. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Voter Precincts:** [3:17:02]

Ms. Mills requested approval of an Order Adding and Changing of Voter Precincts. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Acceptance of Bonds/Letters of Credit - Drainage Board:**

Ms. Mills requested acceptance of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-2003-00076 - Safeco Insurance Company of America, Subdivision Bond No. 62366223 for The Intracoastal at Geist Sec. 3A - Storm Sewers in the amount of \$40,253.00. 2) HCDB-2003-00077 - Safeco Insurance Company of America Subdivision Bond No. 6236224 for The Intracoastal at Geist Section 3A - Erosion Control - \$4,325.56. 3) HCDB-2003-00078 - Safeco Insurance Company of America Subdivision Bond No. 6236225 for The Intracoastal at Geist Section 3A - Monuments and Markers - \$260.00. 4) HCDB-2003-00080 - Bond Safeguard Insurance Company Subdivision Performance Bond No. 50006644 for Riverwalk Commons - Storm Sewers - \$178,211.00. 5) HCDB-2003-00081 - Bond Safeguard Insurance Company Subdivision Performance Bond No. 5006645 for Riverwalk Commons - Erosion Control - \$14,175.00. 6) HCDB-2003-00082 - First Merchants Bank Irrevocable Stand-by Letter of Credit No. FMB-1381 for "off-site" pipe and structures at Highland Prairie - \$11,252.00. 7) HCDB-2003-00083 - First Merchants Bank Irrevocable Stand-By Letter of Credit No. FMB-1384 for The Reserve at Geist Phase I - Monuments - \$1,000.00. 8) HCDB-2003-00084 - First Merchants Bank Irrevocable Stand-By Letter of Credit No. FMB-1382 for The Reserve at Geist Phase I - Erosion - \$4,500.00. 9) HCDB-2003-00085 - First Merchants Bank Irrevocable Stand-By Letter of Credit No. FMB-1383 for The Reserve at Geist Phase I - Storm Sewers - \$215,000.00. 10) HCDB-2003-00086 - The Farmers Bank Irrevocable Letter of Credit No. 51004819 for The Delph Addition on the Thistlewaite Drain - \$12,000.00. 11) HCDB-2003-00086A - The Farmers Bank Irrevocable Letter of Credit No. 51004819 for The Delph Addition on the Thistlewaite Drain - \$12,000.00 (Letter from the Bank adding the Thistlewaite drain name and the name of the [Delph] Addition). Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit - Drainage Board:**

Ms. Mills requested the release of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-2003-00024 - Star Financial Bank Irrevocable Letter of Credit No. 16766267 for Whispering Woods Subdivision reconstruction of Russell Johnson Drain - \$13,300.00. 2) HCDB-2002-00313 - Scheer's Incorporated Subdivision Performance Bond No. B21853765 for Oak Manor - Storm Sewers, Subsurface Drains and Erosion Control - \$223,521.20. 3) HCDB-2002-00332 - Home Federal Savings Bank Irrevocable Standby Letter of Credit No. 99000202111(2) for Shelborne Park, Section 1 - Monuments and Markers - \$2,700.00. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Clerk of the Circuit Court Monthly Report:** [3:17:42]

Ms. Mills requested acceptance of the October 2003 Monthly Report from the Clerk of the Circuit Court. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Payroll Claims:**

Ms. Mills requested approval of Payroll Claims for the period of October 27, 2003 - November 19, 2003 paid on November 21, 2003. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Vendor Claims:**

Ms. Mills requested approval of Vendor Claims to be paid November 25, 2003. Dillinger motioned to approve. Altman seconded. Altman stated there is an issue in this set of Vendor Claims as to whether we have a reasonable reimbursement policies for meals and travel. Given some of the dollar amounts we have seen it would be advisable for the County to enter in to a per diem reimbursement program for meals while employees are out of the county for travel. Altman motioned to allow a per diem of \$7.00 for breakfast, \$14.00 for lunch and \$25.00 for dinner. It would be an automatic submission and if you choose to allocate breakfast to dinner, that is your choice, this is your daily allowance. Ms. Mills stated the State Board of Accounts position is if you have a per diem you don't have to have itemized receipts. Dillinger asked if there will be a geographical adjustment? Mr. Neal stated the military does, depending on the area where you are stationed. Holt stated if this is not workable we can revisit it. Dillinger seconded. Motion carried unanimously. Dillinger stated this will need to be translated to everybody. Dillinger, Altman and Holt approved the payment of Vendor Claims unanimously.

**2004 Meeting Schedule (Amended):**

Ms. Mills requested approval of an amended 2004 Commissioner Meeting Schedule. The July 12th meeting was listed incorrectly. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Smoking in Historic Courthouse:**

Ms. Mills stated there is a problem with the smoke in the Deductions Department that is located directly above the smoking lounge in the historic courthouse.

**Parking Issue:**

Ms. Mills notified the Commissioners that there may be a lack of parking spaces once the new parking meters are installed by the City of Noblesville. Many employees park on the streets and other parking lots in downtown and they may want to return to the county lot (south), which would create a shortage of parking spots. Dillinger asked if we are enforcing the parking lots? Mr. Swift stated tickets are issued for cars without parking tags. We do not tow.

Dillinger motioned to adjourn. Altman seconded. Motion carried unanimously.

**Commissioners Correspondence**

Kathy Richardson Application for Leave of Absence

Anonymous letter regarding family needing assistance

IDEM Invitation to Meeting for Draft West Fork

IDEM Reminder of U.S. EPA Brownfields Grant Proposals Letters of Support

IDEM Notice of Sewer Permit Applications:

Geist Pavilion, Fishers

Centennial, Section 9, Westfield

HAMILTON COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 24, 2003

The Bridgewater Club, Section 1-2 & 3, Westfield  
Highpoint Ridge, Fishers  
Waterman Farms, Section 1 - Noblesville  
IDEM Notice of Sanitary Sewer Construction Permit Applications:  
Brooks School Plaza, Fishers  
Setters Run Lift Station, Westfield  
Somerset Hills, Section 1, Fishers  
Noblesville Business Park, Noblesville  
Centennial, Section 9, Westfield  
The Bridgewater Club, Sections J & 1-2, Westfield

**Present**

Christine Altman, Commissioner  
Steven C. Dillinger, Commissioner  
Steven A. Holt, Commissioner  
Robin M. Mills, Auditor  
Kim Rauch, Administrative Assistant to Auditor  
Fred Swift, Administrative Assistant to Commissioners  
Michael A. Howard, Attorney  
Doug Carter, Sheriff  
Brad Davis, Highway Director  
Jim Neal, Highway Engineer  
Virginia Hughes, Administrative Assistant to Highway Engineer  
Virginia Whipple, Highway Public Service Representative  
Dave Lucas, Highway Inspector  
Robert Chadwell, Highway Inspector  
Steve Broermann, Highway Technical Engineer  
Christopher Burt, Highway Staff Engineer  
Tim Knapp, Highway Right-of-Way Specialist  
Joel Thurman, Highway Project Engineer  
Matt Knight, Highway Staff Engineer  
Mike McBride, Small Structure Staff Engineer  
Faraz Hahn, Highway Department  
Bob Davis, Highway Superintendent  
George Piper, Noblesville Daily Times  
Becki Wise, USI  
Walter Quate, Marathon Ashland Petroleum  
John Zepfo, Bid Opening  
Samer Butros, Bid Opening  
Dick Harvey, Bid Opening  
Casey Dilham, Bid Opening  
Floyd Burroughs, FEBA  
Diana Lamirand, Noblesville Ledger  
Troy Halsell, Noblesville Housing Authority  
Deborah Pirsie, Nyhart  
Sheri Burton Fleck, Nyhart  
Sheena Randall, Human Resources  
John Ditslear, Insurance Committee  
Lisa Hanni, 4-H Ground Rental Rates  
Larry Stout, GIS  
Jill Jennings, E-911

APPROVED  
HAMILTON COUNTY BOARD OF COMMISSIONERS

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ATTEST:

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Robin M. Mills, Auditor